IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 472 OF 2006
IN
WRIT PETITION NO. 1477 OF 2001

Shri Patil Prakash Appasaheb ... Applicant
(Ori.Petitioner)

V/s

1. Shri Shivaji Shikshan Prasarak Mandal, At Post & Tal. Barshi, Dist. Solapur; & ors. ... Respondents

Mr. S.A. Sawant for the applicant.

Mr. K.Y. Mandlik for respondent Nos. 1 & 2.

Mr. M.H. Solkar, A.G.P. for respondent Nos. 3 & 4.

CORAM: P.V. KAKADE, J.

DATED: 9TH MARCH, 2006

P.C.:

1. Heard advocate for the applicant as well as respondent Nos. 1 & 2 and advocate for respondent Nos. 3 & 4.

2. The petition was disposed of by minutes of order dated 8.10.2004. Contents thereof are self-sufficient. However, it is submitted on behalf of the applicant that the respondent No.3 acted upon this order for releasing the salary, however, subsequently it was the stand of

the respondent Nos. 3 and 4 that they were not party to the minutes of order and therefore the Court has not issued any direction to the respondent Nos. 3 and 4 to release the salary and comply with the order of this Court. Hence, the civil application is filed for direction to the respondent No.3 to comply with Clause Nos. 3 & 4 of the minutes of order and to release the salary and arrears of salary forthwith.

3. After hearing both sides, it is hereby directed that the order dated 8th October, 2004 passed in Writ Petition No. 1477 of 2001 as well as Writ Petition No.590 of 1996 is equally applicable and binding upon respondent Nos. 3 & 4 and they are directed to act upon it as per rules and directions therein.

It is clarified that the due arrears of salary are also to be paid by respondent Nos. 3 & 4 to the applicant.

With these directions, the civil application stands disposed of with no order as to costs.

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